

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

Summons for Judgment No.1156 of 2001
in

Sum Suit No.597 of 2001

Ashok Chhaganlalji Adani...Plaintiff

vs

M/s SIV Industries Limited ...Defendants

Mr Tushar Joshi for plaintiff

Mr D.B.Dolas for Pardiwala & Co for
defendants

CORAM: S.U.KAMDAR J.

Dated 5.10.2005

P.C: . The present suit is filed for recovery of a sum of Rs.87,206.85 with interest at the rate of 18% p.a. on the principal amount of Rs.46,694.00 from the date of the filing of the suit till judgement and from the date of judgement till realisation under a Bill No.919 dated 11.10.1996. The defendant company was under BIFR and therefore the summons for judgment was adjourned sine-die. The learned counsel for the defendants however confirms that winding up is recommended by the BIFR and therefore the provisions of section 22 of the SICA Act are no more applicable. The plaintiff has

also filed relevant documents which are taken on record and marked as P-1 collectively. There is no reply to the summons for judgment. In that view of the matter summons for judgment is made absolute. Suit is decreed. There shall be interest at the rate of 12% p.a. from the date of suit till payment and/or realisation on the principal amount of Rs.46,964.00. Refund of court fee as per rules.